IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 1588 of 2004(L)

PETITIONER:

ABDUL GAFOOR K.M.
S/O.MAMMOONHI HAJI,
KOLLAMPADY, KASARAGOD.

BY ADV. SRI. T. SHAJIMON

RESPONDENTS:

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1. THE TAHSILDAR,
(REVENUE RECOVERY OFFICER),
KASARAGOD.

2. THE GOVERNMENT OF KERALA,
LABOUR & REHABILITATION (S) DEPARTMENT,
REP. BY ITS SECRETARY, THIRUVANANTHAPURAM.

3. THE DISTRICT EXECUTIVE OFFICER,
KERLA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
KASARAGOD.

4. THE CHIEF EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS,
WELFARE FUND BOARD,
KASARAGOD.

BY ADV. SRI. K.V. MANOJ KUMAR, GOVERNMENT PLEADER
SRI.PAULSON C.VARGHESE,SC, KMTWF BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE PHOTO COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE KRA 6305.

EXT.P2: TRUE COPY OF APPEAL REJECTION ORDER G.O.(RT) NO. 1613/2003/LBR DATED 11.06.2003 ISSUED BY THE LABOUR & RAHABILITATION (S) DEPARTMENT.

EXT.P3: TRUE COPY OF NOTICE ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DATED 07.01.2004.

EXT.P4: TRUE COPY OF AFFIDAVIT SUBMITTED BY SATHYAN AND ATTESTED BY NOTARY DATED 21.11.2002.

KURIAN JOSEPH , J

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W.P.(C) NO. 1588 OF 2004

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Dated this the 11th day of July, 2007.

JUDGMENT

The petitioner approached this Court with certain grievances regarding dues payable to the Kerala Motor Transport Workers Welfare Fund. It is seen that the petitioner has pursued grievances before the executive authority as well as in an appeal before the Government. The Government has passed Ext.P2 detailed order declining grant any relief to the petitioner. It has been found that on merits the petitioner does not have a case. Faced with such a situation it is submitted that the petitioner may be permitted to pay the dues at least in instalments. The writ petition is disposed of making it clear that the petitioner shall be permitted to clear the disputed dues as in Ext.P3 in 7 equal instalments starting from the month of August 2007

KURIAN JOSEPH, JUDGE.

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